

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS GERARDO MARTINEZ-MUNIZ,

Defendant.

No. 1:23-mj-00035 SKO

DETENTION ORDER
(Violation of Pretrial Release)

After conducting a preliminary hearing and detention hearing pursuant to Federal Rules of Criminal Procedure 32.1(a)(1) and 46(c) and 18 U.S.C. § 3143(a) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3143 pending transfer to the Southern District of California – San Diego.

- ☐ there is probable cause to believe the person has committed a federal, state or local crime while on release and defendant has not rebutted the presumption that his release will endanger another or the community; or
- ☒ there is clear and convincing evidence that the defendant has violated another condition of release; and
- ☐ based on the factors set forth in 18 U.S.C. § 3142(g) there is no condition or combination of conditions of release that will assure that the defendant will not flee or pose a danger to the safety of another person of the community; or
- ☒ the person is unlikely to abide by any condition or combination of conditions of release. Fed. R. Crim. P. 46(c), 18 U.S.C. § 3148.
- ☒ the person is to be transported to the Southern District of California as soon as practicable.

IT IS ORDERED that pursuant to 18 U.S.C. § 3142(i)(2)-(4) defendant is committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with counsel. Upon further order of a court of the United States or request of an attorney for the United States the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States Marshal for purpose of an appearance in connection with a court proceeding.

Dated: March 21, 2023

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE